

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PAUL MYERS, JR.,	:	No.: 4:16-CV-00527
	:	
Plaintiff,	:	(Judge Brann)
	:	
v.	:	
	:	
NANCY A. BERRYHILL, <sup>1</sup>	:	(Chief Magistrate Judge Schwab)
<i>Commissioner of the</i>	:	
<i>Social Security Administration</i>	:	
	:	
Defendant.	:	

**ORDER**

**AND NOW**, this 18<sup>th</sup> day of September 2017, having conducted a *de novo* review, and no opposition having been filed in response to the report and recommendation of the Chief Magistrate Judge, **IT IS HEREBY ORDERED** that:

1. Chief Magistrate Judge Susan E. Schwab's August 31, 2017 Report and Recommendation, ECF No. 19, is ADOPTED in full.
2. The Acting Commissioner of the Social Security Administration's decision is VACATED and REMANDED for further proceedings, as discussed in the Chief Magistrate Judge's Report and Recommendation.

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<sup>1</sup> The Complaint (ECF No. 1) correctly named Carolyn W. Colvin as Defendant, as she was the Acting Commissioner of the Social Security Administration at the time it was filed. As of January 23, 2017, however, Nancy Berryhill is the Acting Commissioner of Social Security.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann  
United States District Judge